

## REMARKS

Reconsideration of the application is respectfully requested.

Claims 1-22 have been rejected. Claims 1, 3, 12, 14, 17 and 19 have been amended. No claims have been cancelled. All amendments are fully supported by the original disclosure. No new matter has been introduced. Accordingly, Claims 1-22 remain pending in the application.

### Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-6, 9-13 and 19-22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent App. Pub. No. 2003/0048260 to Matusis (“Matusis”). Applicants respectfully request reconsideration of this rejection for at least the following reasons.

As amended, claim 1 currently recites in part, “a keyboard upon said body including at least one key having at least two different functions associated with the key, a first function if the key is activated with a terminating hand member of the right hand and a second different function if the key is activated with a terminating hand member of the left hand; and a detection mechanism to determine whether a user's terminating hand member used to activate the key with two associated functions is located on the user's right hand or left hand, said detection mechanism being equipped to monitor movement of at least a portion of at least one of the user's two hands.” The amendment is supported at least in pg. 7, lines 20-31; pg 8, lines 1-25; and Figure 4.

Matusis does not teach “a keyboard upon said body including at least one key having at least two different functions associated with the key, a first function if the key is activated with a terminating hand member of the right hand and a second different function if the key is activated with a terminating hand member of the left hand.” Matusis also does not teach “a detection mechanism to determine whether a user's

terminating hand member used to activate the key with two associated functions is located on the user's right hand or left hand, said detection mechanism being equipped to monitor movement of at least a portion of at least one of the user's two hands."

Matusis merely identifies a fingertip selected to activate a sensor. At best, Matusis teaches an apparatus and method for assigning a different set of functions to one or more of a user's fingertips and then accessing the functions with a touch-activated sensor using the selected fingertip. The user must first touch an input sensor with the fingertip assigned to the function(s) the user wants to access, using only that finger (see [0042]). The sensor senses which *fingertip* has been selected, then provides the functions associated with that finger. See for example [0042], disclosing that the user touches the sensor to activate it, and [0045], disclosing that "the image is processed to determine which fingertip touched and activated the input sensor." Matusis is concerned only with identifying a single fingertip at a time, and does not teach "determine whether a user's terminating hand member used to activate the key with two associated functions is located on the user's right hand or left hand," as recited in claim 1.

Therefore, Matusis cannot teach the recitations of claim 1 as amended. For at least these reasons, Applicants respectfully submit that claim 1 is allowable over Matusis.

Claims 2-11 depend from claim 1, incorporating its recitations, and are thus allowable over Matusis for at least the same reasons.

Independent claims 12 and 19 incorporate subject matter substantially similar to that of claim 1 and are thus allowable for at least the same reasons. Claim 13 and claims 20-22 depend from claims 12 and 19 respectively, incorporating their recitations, and are thus allowable for at least the same reasons.

### **Rejections under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 7, 8 and 14-16 under 35 U.S.C. § 103(a) as being unpatentable over Matusis in view of U.S. Patent No. 6,888,532 to Wong (“Wong”). In addition, the Examiner rejected claims 17-18 under 35 U.S.C. § 103(a) as being unpatentable over Matusis in view of U.S. Patent No. 6,538,636 to Harrison (“Harrison”). Finally, in rejecting claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Matusis and Harrison, the Examiner took official notice that MEMS motion sensors are common in the art and that it would therefore have been obvious to combine MEMS motion sensors with the teachings of Harrison. Applicants respectfully request reconsideration of this rejection for at least the following reasons.

Independent claims 14 and 17 have been amended to include the recitations discussed earlier with respect to claim 1. Thus for at least similar reasons, claims 14 and 17 are patentable over Matusis.

The disclosures of Wong and Harrison cannot remedy the deficiencies of Matusis. Wong merely teaches a detection mechanism with a pressure sensor to detect orientation information, such as whether the user interface features are facing up or down or whether the user is holding the device with left-handedness or right-handedness, and to change the orientation of the user interface based on the detected information. Harrison teaches a similar device that uses a motion detector to determine the orientation and reconfigures the appearance of the display according to the detected orientation.

For at least these reasons, Applicants respectfully submit that claims 14 and 17 are therefore allowable over Matusis, Harrison and Wong, alone or in combination.

Claims 7 and 8 and claims 15-16 depend from claims 1 and 14 respectively, incorporating their recitations, and are thus allowable over the cited references for at least the same reasons.

Claim 18 depends from claim 17, incorporating its recitations, and is thus allowable for at least the same reasons.

Applicants respectfully submit that all pending claims are allowable as amended, and notice of allowance is therefore requested.

### CONCLUSION

In view of the foregoing, reconsideration and allowance of all pending claims is respectfully solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
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Date: June 11, 2009

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